

REMARKS

This responds to the first office action mailed September 22, 2004 in connection with the above identified patent application. Prior to entry of this amendment, claims 1-11 were pending in the application. By this amendment, claims 1 to 6 have been cancelled, claims 7 to 11 have been amended and claims 12 to 18 have been added.

In particular, it is to be noted that in adding new independent claims 12 and 13 and new dependent claims 14 to 18 no new matter has been introduced, since they contain only limitations that were disclosed in the original specification.

In particular, new claim 12 is supported by original claims 1, 3 and 5 and by the specification, on page 8 lines 7-9 and 23-24. The specification recites: "*the gripping means 11 comprise a single gripper 22 for holding the leading 1a of the film...each gripper 22 forms part of a telescopic unit*", thus the gripping means disclosed by original claim 1 have been canceled and new claim 12 recites a telescopic unit comprising a gripper exactly as disclosed in the specification.

Analogously, new claim 13 is supported by original claims 1, 4 and 6 and by the specification, on page 8 lines 14-16 and 23-24, which recites: "*In an alternative embodiment, the gripping means 11 may comprise a pair of grippers 22 and 22a for holding the leading end 1a of the film... each gripper 22 forms part of a telescopic unit*".

New dependent claims 14 to 18 are supported by original claims 7 to 11.

Claim Rejection – 35 U.S.C. 112

Applicant believes that new independent claims 12 and 13 clarify the function of the "gripper/grippers" therein recited and the structure on which they are operatively and physically connected. Concerning with the mechanism enabling the gripper to grip the leading edge of the film, it should be clear from the application as a whole to those of ordinary skill in the art that it is ancillary in performing the invention how the gripper is driven. In fact, the gripper can be driven by any suitable means which enable the closure and opening of the gripper mouth. In other words, the person skilled in the art

knows how a gripper works and the suitable mechanisms which enable a gripper to work to grip film.

Claim Rejection - 35 U.S.C. 102 and 35 U.S.C. 103

According to the examiner opinion, original claims 5 and 6 define patentable subject matter. Therefore, new independent claims 12 and 13, which have been written in independent form and which contain the limitations of original claims 5 and 6, are felt to define patentable subject matter.

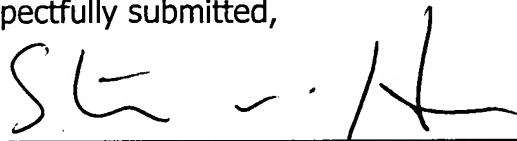
Conclusion

The prior art made of record but not applied by the Examiner has been carefully considered but is submitted to be less relevant than the references previously discussed.

All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Applicants' counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted,



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